

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13502 of 2021**

Arising Out of PS. Case No.-204 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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KAMESHWAR MAHTO SON OF LATE ANUPLAL MAHTO R/O
VILLAGE GUDARGHAT WARD NO. 8, P.S KHANPUR, DISTRICT-
SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Pankaj Kumar, Adv.
For the State	:	Mr. Ataul Rahman, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

4 10-01-2022 Heard the parties through video conferencing.

The petitioner apprehends his arrest in connection with Excise P.S. Case No. 204 of 2020 registered for the offence under Sections 30 (a) of the Bihar Prohibition and Excise Act, 2016.

Taking into consideration that there is no criminal antecedent, nature of recovery of liquor and the fact that prima facie case under the Excise Act, is not made out against the petitioner and in view of Full Bench decision of this Court rendered in the case of **Ram Vinay Yadav Vs. The State of Bihar reported in 2019 (2) P.L.J.R. 1089 (F.B.)**, I am inclined to grant benefit of anticipatory bail to the above named

petitioner and in the event of arrest he shall be released on bail,
subject to the conditions as laid down under Section 438 (2) of
the Cr.P.C.

(Sanjeev Prakash Sharma, J)

pravinkumar/-

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